

SECRET SERVICE—PROTECTION OF PRESIDENTIAL
AND VICE PRESIDENTIAL CANDIDATES

PUBLIC LAW 90-331; 82 STAT. 170

[H. J. Res. 1292]

Joint Resolution to authorize the United States Secret Service to furnish protection to major presidential or vice presidential candidates.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:

(a) The United States Secret Service, in addition to other duties now provided by law, is authorized to furnish protection to persons who are determined from time to time by the Secretary of the Treasury, after consultation with the advisory committee, as being major presidential or vice presidential candidates who should receive such protection (unless the candidate has declined such protection).

(b) The advisory committee referred to in subsection (a) shall consist of the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate and one additional member selected by the other members of the committee.

Sec. 2. Hereafter, when requested by the Director of the United States Secret Service, Federal Departments and agencies, unless such authority is revoked by the President, shall assist the Secret Service in the performance of its protective duties under section 3056 of title 18 of the United States Code and the first section of this joint resolution.

Sec. 3. For necessary expenses of carrying out the provisions of this resolution, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1968, the sum of \$400,000.

Approved June 6, 1968.

84. 10 U.S.C.A. § 703(b).

3 § 202

THE PRESIDENT

§ 202. Executive Protective Service; establishment, control, and supervision; privileges, powers, and duties

There is hereby created and established a permanent police force, to be known as the "Executive Protective Service". Subject to the supervision of the Secretary of the Treasury, the Executive Protective Service shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) the Executive Mansion and grounds in the District of Columbia; (2) any building in which Presidential offices are located; (3) the President and members of his immediate family; (4) foreign diplomatic missions located in the metropolitan area of the District of Columbia; and (5) foreign diplomatic missions located in such other areas in the United States, its territories and possessions, as the President, on a case-by-case basis, may direct. The members of such force shall possess privileges and powers similar to those of the members of the Metropolitan Police of the District of Columbia.

June 25, 1948, c. 644, § 1, 62 Stat. 672, amended June 8, 1962, Pub.L. 87-481, § 1, 76 Stat. 95; Mar. 19, 1970, Pub.L. 91-217, § 1(2), (3), 84 Stat. 74.

Library references: United States ⑤57; C.J.S. United States § 74.

1970 Amendment. Pub.L. 91-217 substituted "Executive Protective Service" for "White House Police", substituted the Director, United States Secret Service, for the Secretary of the Treasury as the immediate director of Service operations, and added foreign diplomatic missions located in the metropolitan area of the District of Columbia and foreign diplomatic missions located in other areas as the President may direct to the enumerated list of areas under protection.

1962 Amendment. Pub.L. 87-481 transferred the control and supervision of the White House Police from the Chief of the Secret Service Division to the Secretary of the Treasury and required such force to perform duties in connection with the protection of any building in which White House offices are located and the President and members of his immediate family.

Transfer of functions. All functions of all officers of the Department of the Treasury, and all functions of all agencies and employees of such Department, were transferred, with certain exceptions, to the Secretary of the Treasury, with power vested in him to authorize their performance or the performance of any of his functions, by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 26, § 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5, Government Organization and Employees. The Secret Service, referred to in this section, is an agency in the Treasury Department.

Legislative history: For legislative history and purpose of Pub.L. 87-481, see 1962 U.S. Code Cong. and Adm. News, p. 1672. See, also Pub.L. 91-217, 1970 U.S. Code Cong. and Adm. News, p. —.

§ 203. Personnel, appointment, and vacancies

(a) The Executive Protective Service shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary but not exceeding eight hundred and fifty in number.

(b) Members of the Executive Protective Service shall be recruited under the civil service laws and regulations on a nationwide basis. Members of such Service may also be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Whenever any vacancy is created in the Metropolitan Police force or the United States Park Police force as the result of an appointment to the Executive Protective Service, such vacancy shall be filled in the manner provided by law. In the period of time which follows the date of enactment of this sentence and precedes January 1, 1975, not more than thirty members of the Metropolitan Police force may be appointed annually to the Executive Protective Service.

June 25, 1948, c. 644, § 1, 62 Stat. 672, amended Aug. 15, 1950, c. 715, § 2, 64 Stat. 448; June 28, 1952, c. 481, 66 Stat. 283; June 8, 1962, Pub.L. 87-481, § 2, 76 Stat. 95; Mar. 19, 1970, Pub.L. 91-217, § 1(1), (4)-(6), 84 Stat. 74, 75.

Library references: United States ⑤36; C.J.S. United States §§ 36, 37, 62-64.

1970 Amendment. Subsec. (a). Pub.L. 91-217, § 1(1), (4), (5), substituted "Executive Protective Service" for "White House Police force", substituted "eight hundred and fifty" for "two hundred and fifty", and struck out provisions limiting the ap-

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3 § 205

pointment of White House Police to appointment from lists provided by the Metropolitan Police Force and the United States Park Police force and covering the filling of vacancies.

Subsec. (b). Pub.L. 91-217, § 1(6), substituted "Executive Protective Service" for "White House Police force" and added provisions for the recruiting of personnel on a nationwide basis and from lists provided by the Metropolitan Police Force and the United States Park Police force and placed a limit of 30 on the number to be appointed from the Metropolitan Police Force annually until Jan. 1, 1975.

1962 Amendment. Subsec. (a). Pub.L. 87-481 increased the statutory strength of the force from 170 to 250 members.

1952 Amendment. Subsec. (a) amended by Act June 28, 1952, to increase the statutory strength of the force from 133 to 170 members.

1950 Amendment. Subsec. (a) amended by Act Aug. 15, 1950, cited to text, which increased the force from 110 members to 133.

Temporary Increase in personnel. Act July 20, 1946, c. 538, Title I, § 101, 60 Stat. 576, provided in part: "For one

captain, one inspector, four lieutenants, six sergeants, and one hundred and two privates, at rates of pay provided by law."

Similar appropriations were made by Acts Mar. 19, 1942, c. 178, Title I, § 1, 56 Stat. 159; June 30, 1943, c. 179, Title I, § 1, 57 Stat. 260; April 22, 1944, c. 175, Title I, § 1, 58 Stat. 204; Apr. 24, 1945, c. 92, Title I, 59 Stat. 61.

Temporary exceptions to limitation. Acts Aug. 11, 1951, c. 301, Title I, § 101, 65 Stat. 185; June 30, 1952, c. 523, Title I, § 101, 66 Stat. 259, made appropriations for salaries and expenses of the White House Police force for fiscal years 1952 and 1953 and provided that such appropriations should be available for additional personnel without regard for the limitation contained in this section. The provisions were not repeated in the Treasury Department Appropriation Act, 1954, Act June 18, 1953, c. 132, Title I, 67 Stat. 67.

Legislative History: For legislative history and purpose of Pub.L. 87-481, see 1962 U.S. Code Cong. and Adm. News, p. 1672. See, also Pub.L. 91-217, 1970 U.S. Code Cong. and Adm. News, p. —.

§ 204. Grades, salaries, and transfers of appointees

(a) No person shall be appointed a member of the Executive Protective Service at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the Executive Protective Service shall receive a salary at the rate provided for the corresponding grade in the Metropolitan Police force (including longevity increases provided by section 401 of the District of Columbia Police and Firemen's Salary Act of 1958), and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the Executive Protective Service appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the organization of which he was a member, at the time of such appointment.

June 25, 1948, c. 644, § 1, 62 Stat. 672, amended June 20, 1953, c. 146, Title IV, § 402; 67 Stat. 76; Aug. 1, 1958, Pub.L. 85-584, Title V, § 502 (a), 72 Stat. 485; Mar. 19, 1970, Pub.L. 91-217, § 1(1), 84 Stat. 74.

Library references: United States 36; C.J.S. United States §§ 36, 37, 62-64.

References in Text. Section 401 of the District of Columbia Police and Firemen's Salary Act of 1958, referred to in subsec. (b), is section 401 of Pub.L. 85-584, Aug. 1, 1958, 72 Stat. 485.

1970 Amendment. Pub.L. 91-217 substituted "Executive Protective Service" for "White House Police force" wherever appearing in subsecs. (a), (b), and (c).

1958 Amendment. Subsec. (b) amended by Pub.L. 85-584, which substituted "section 401 of the District of Columbia Police and Firemen's Salary Act of 1958" for "section 102 of the District of Columbia Police and Firemen's Salary Act of 1953".

1953 Amendment. Subsec. (b) was amended by Act June 20, 1953, to insert references to longevity pay.

Effective date of 1953 Amendment. Section 407 of Act June 20, 1953, provided

that this amendment should take effect on July 1, 1953.

Temporary additional compensation. Act Apr. 1, 1943, c. 32, § 1 (part), 57 Stat. 57, which provided for temporary additional compensation, expired June 30, 1944, by the express provisions of section 2 of said Act.

Cross References. Basic note for overtime computation, see note under section 1402 of Appendix to Title 50, War and National Defense.

Waiver of restrictions in appropriations limiting amounts payable for personal services, see note under section 1402 of Appendix to Title 50, War and National Defense.

Legislative History. For legislative history and purpose of Pub.L. 91-217, see 1970 U.S. Code Cong. and Adm. News, p. —.

§ 205. Repealed. Pub.L. 91-217, § 1(7), Mar. 19, 1970, 84 Stat. 75

Section, Act June 25, 1948, c. 644, § 1, 62 Stat. 672, provided for the appointment of members of the White House Police force in accordance with civil service laws, and is now covered by section 203(b) of this title.

3 § 206

THE PRESIDENT

§ 206. Privileges of civil-service appointees

Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

June 25, 1948, c. 644, § 1, 62 Stat. 672, amended Mar. 19, 1970, Pub.L. 91-217, § 1(8), 84 Stat. 75.

Library references: United States ~~30~~30; C.J.S. United States §§ 36, 37, 62-64.
1970 Amendment. Pub.L. 91-217 substituted "Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force" for "Members appointed pursuant to section 205 of this title".
Legislative History. For legislative history and purpose of Pub.L. 91-217, see 1970 U.S.Code Cong. and Adm.News, p. —.

§ 207. Participation in police and firemen's relief fund

(a) For the purposes of retirement under section 12 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes, approved September 1, 1916, as amended," service with the United States Park Police force shall be deemed service with the Executive Protective Service.

(b) Any member of the Metropolitan Police force appointed to the Executive Protective Service shall continue to be subject to the provisions of section 12 of such Act, and appointment of such member to the Executive Protective Service or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such Act.

June 25, 1948, c. 644, § 1, 62 Stat. 672, amended Mar. 19, 1970, Pub.L. 91-217, § 1(1), 84 Stat. 74.

Library references: United States ~~39~~39(15); C.J.S. United States §§ 17, 44.
1970 Amendment. Pub.L. 91-217 substituted "Executive Protective Service" for "White House Police force" in subsecs. (a) and (b).
References in text. Section 12 of Act approved September 1, 1916, referred to in the text, is Act Sept. 1, 1916, c. 433, § 12, 39 Stat. 718, and was classified to sections 4-129, 4-159, 4-160, 4-501, 4-503, 4-506, 4-507, and 11-625 of the District of Columbia Code.

Legislative History. For legislative history and purpose of Pub.L. 91-217, see 1970 U.S.Code Cong. and Adm.News, p. —.

§ 203. Appropriation to carry out provisions

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202-204, 207, and 208 of this title. June 25, 1948, c. 644, § 1, 62 Stat. 672.

Library references: United States ~~85~~85; C.J.S. United States § 123.

CHAPTER 4.—DELEGATION OF FUNCTIONS

Sec. 301. General authorization to delegate functions; publication of delegations.	Sec. 302. Scope of delegation of functions. 303. Definitions.
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Chapter added by Act Oct. 31, 1951, c. 655, § 10, 65 Stat. 712.
Similar Provisions; Repeal; Saving Clause. Similar provisions were contained in former chapter 4, comprising former sections 301-303, which was set out here but which was not a part of this title. Said former sections 301-303 were derived from Act Aug. 8, 1950, c. 646, §§ 1-3, 64 Stat. 419, and were repealed by section 56(j) of Act Oct. 31, 1951. Subsec. (i) of said section 56 provided that such repeal should not affect any rights or liabilities existing under such repealed sections on the effective date of such repeal (Oct. 31, 1951).

Legislative History. For legislative history and purpose of Act Oct. 31, 1951, see 1951 U.S.Code Cong.Service, p. 2578.